

Review of Crown Beach Incident (Alameda, CA)

Prepared for: City of Alameda

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Executive Summary

This report reviews the City of Alameda police and fire response to a suicide in the water off Robert Crown Memorial Beach on May 30, 2011. The report includes a chronology of the emergency response and makes recommendations for best practices for managing a call of this nature.

On May 30, 2011, police and fire personnel from the City of Alameda responded to a person in the water threatening suicide. Information was provided to them that the person had attempted suicide on at least two previous occasions. The person's decision to take his own life, cold water conditions, and time were critical factors in determining the outcome of this incident.

From the time of the arrival of the first officer until the suicidal person succumbed to the conditions present was approximately 31 minutes.

The nature of this call was unique to the City of Alameda police and fire departments resulting in unfamiliarity and lack of experience. They did not possess the certification, training, or equipment to safely enter the water to negotiate or conduct a rescue.

Elimination of the fire department rescue boat in 2008 and rescue swimmer program in 2009 by the former administration resulted in total reliance on mutual aid. Total reliance on mutual aid for emergencies requiring a rapid response provides a reduced likelihood of a successful outcome.

Elimination of the rescue swimmer program was not effectively communicated to the City Council or to the community. The department budget continued to indicate "water rescues" was part of the fire department performance measures, even after the program was ended.

It is the policy of the Alameda Fire Department not to allow personnel who are not currently certified as lifeguards or rescue swimmers to enter the water to perform water rescues. This policy is consistent with other water rescue programs throughout the state of California.

Command personnel considered it unsafe to enter the water due to distance to the subject in the water, temperature of the water, potential violent nature of the subject, lack of certified rescue swimmers, lack of personal protective gear, lack of a shallow

water rescue boat, and a belief that the subject was within the survivability window for the responding mutual aid.

There were a number of breakdowns in the command and control of the incident.

Lack of cross training between police and fire led to lack of understanding of each others resources and capabilities. The result was information gaps, independent actions, resource availability misinformation, lack of coordination, and a disjointed emergency response effort.

The use of jargon led to a miscommunication which resulted in command personnel on the scene expecting the responding U.S. Coast Guard vessel to have different operational capabilities than it had.

Police and fire personnel on the scene did not have a good understanding of what mutual aid resources were available, what the capabilities of each mutual aid asset were, and what resources had the closest proximity and best response times.

The closest available mutual aid water rescue resource with shallow water rescue capability was Oakland Fire, located approximately 2-1/2 miles away at Oakland Fire Station #12 (822 Alice Street). This mutual resource was not requested until the U.S. Coast Guard arrived and was unable to navigate into the shallow water.

The water temperature near Crown Beach was approximately 54 degrees Fahrenheit at the time of the incident. The United States Search & Rescue Task Force estimates that exhaustion or unconsciousness can occur in 1-2 hours with an expected survival time of 1-6 hours in water temperatures between 50 and 60 degrees Fahrenheit.

Police received information from a kitesurfer who had reached the subject in the water. He reported that the subject did not appear to be in distress and was saying that he was "OK." Within a few minutes of receiving the information from the kitesurfer, command staff received an updated arrival time of 6 minutes from the U.S. Coast Guard.

The subject's condition deteriorated more quickly than was expected based on the information available to the incident commander. The subject succumbed just before the arrival of the U.S. Coast Guard rescue boat.

Recommendations

1. Provide equipment, training, and certifications to police and fire departments to provide the ability to rapidly respond to water emergencies surrounding the City of Alameda.
2. Provide redundancies in the equipment to accommodate out-of-service time for maintenance. The number of trained and certified personnel should allow for absences and turnover due to personnel injuries, leaves, and retirements.
3. Provide incident management training to all supervisors and managers in the police and fire departments.
4. Provide crisis communication training to all field police personnel and fire department rescue swimmers.
5. Develop clear policies on responsibilities of police and fire in water rescue emergencies and conduct regular training to satisfy those responsibilities.
6. Schedule and conduct regular cross training and familiarization between Alameda Police and Fire. The training should include Incident Command System (ICS), Standardized Emergency Management System (SEMS), multidisciplinary responses, joint responses to complex emergencies, and mutual aid.
7. Conduct joint regional training and familiarization with mutual aid resources (City of Oakland, Alameda County Fire, Alameda County Sheriff, East Bay Regional Park, and U.S. Coast Guard). Develop and maintain current understanding of the resources, locations, and capabilities.
8. During critical incidents when life safety is at risk and resource requests are receiving uncertain estimated arrival times, order multiple resources that have a reasonable probability of arriving. It is better to cancel those that are not needed than to fail to have requested them.
9. Mutual Aid resource requests should be made through the appropriate mutual aid channels to avoid confusion and delays in resource ordering.
10. Eliminate the use of jargon when talking to outside agencies or persons not familiar with language specific to your agency.

11. Increase the number of trained personnel within the police department to operate the existing personal water craft when required for emergencies. The equipment is currently underutilized.
12. Direct the police chief and fire chief to make recommendations to the City Manager for appropriate levels of service to support public safety response capabilities to water emergencies specific to the City of Alameda.
13. Provide an identifiable and stable budget to support the service levels approved by the City Council.
14. Funding should include personnel training and certification, as well as maintenance and replacement costs of equipment based on reasonable life expectancy to ensure usefulness and safety.

Scope of the Review

FireChiefs.com, LLC was retained by the City of Alameda to review the response of the Alameda Fire Department and Alameda Police Department to the Crown Beach suicide incident of May 30, 2011 and present the results of the review at a City Council meeting to be scheduled in 2011. The review includes a chronology of the incident as part of the final report and recommendations for best practices for an emergency response to this type of incident.

Process

The review process included a review of documents and records related to the incident and interviews of employees of the City of Alameda, and other responding agencies, as deemed necessary by FireChiefs.com, LLC. There were no limitations on access to personnel or information from the City. In addition, department policies, procedures, and directives were reviewed.

The review process also involved reviews and interviews with experts from other water rescue programs, including Los Angeles County Fire, Los Angeles City Fire, Riverside County Fire, San Francisco Fire, and Oakland Fire.

The process also involved an examination of safety and training standards, as well as consultation with other professionals in the fields of crisis management, incident command, and organizational leadership.

Observations and conclusions were also drawn from my own experience, knowledge, and training.

Alameda Water Rescue Program History

The following is a brief history of the City of Alameda water rescue program:

In 1993, the City of Alameda placed in service a 1970, 31' fireboat. It was bought from the U.S. Coast Guard for one dollar.

In 2000, the City of Alameda placed in service a 1994, 24' Rigid Hull Inflatable Boat (RHIB) for use as a rescue boat. It was bought from the U.S. Coast Guard for one dollar.

In 2002, the fire department initiated a Lifeguard / Rescue Swimmer Program.

On January 8, 2003, the fire department released their Water Rescue Program Policy contained in the Alameda Fire Department General Orders Bulletin 1-46. (Attachment 1)

In 2006, the police department evaluated personal water craft (PWC) for use in their Harbor Patrol Program. The evaluation equipment was on loan. The equipment became a permanent part of their program in 2008 when they received grant funding to buy the equipment. Utilization was limited to special events.

On March 5, 2007, the fire department issued a Water Operations Program Update (Bulletin 1672). The department had 18 qualified rescue swimmers, 2 instructors, and 2 boat operators per shift. They were looking to expand the program and plan for replacements due to retirements. (Attachment 2)

On January 22, 2008, the fire department issued an Update on Water Operations Program (Bulletin 1723). There was a change in the program manager. Fire department personnel were updated on the future direction, development of training with police and coast guard, policy review, grant writing for new vessel, designing maintenance program, and revising qualifications. (Attachment 3)

On April 17, 2008, the Rescue Boat (RHIB) was limited to use for actual responses (Bulletin #1733). The Rescue Boat was in need of \$45,000 in repairs. The fire chief was seeking funding for repairs by June 2008, or would reevaluate and discuss a service reduction with the City Manager. Direction was given to consider Oakland Fire Department for rapid deployment of Inflatable Rescue Boats (IRB's) on trailers. (Attachment 4)

On May 1, 2008, the Rescue Boat (RHIB) was taken out of service (Bulletin #1734) until funding could be secured. Direction was given to contact Oakland Fire Department for any water rescue incident. Direction was also given to contact U.S. Coast Guard, Alameda County Sheriff, and Alameda Police for mutual aid. (Attachment 5)

In June 2008, City Council adopted the 2008/2009 fiscal year budget in which police and fire department operating budgets were reduced by 4%. Fire department overtime was further reduced through implementation of fire truck company closures to reduce callback overtime.

On November 14, 2008, notice was given by the department that Alameda fireboat would be taken out of service.

On December 16, 2008, a memo was sent from the fire chief to the city manager recommending that the fireboat be taken out of service and pursue grant funding for personal water craft, similar to the police department. The rescue boat was already out of service, and the fireboat experiencing mechanical problems. The fire chief estimated \$60,000 was needed for each boat. Removing both vessels from service would save \$7,000 in marina fees annually. The chief indicated the department would continue to work with Oakland and San Francisco Fire for mutual aid. He indicated the fire department's 2009-2010 budget would include \$15,000 for the rescue swimmer program. (Attachment 6)

On January 6, 2009, the Fire Department Resource Allocation report was on the Council agenda regarding budget reductions. In response to the report on Fire Department Resource Allocation, Alameda Firefighters Local 689 submitted a letter to City Council and spoke at the Council meeting regarding budget cuts, including the unfunded water rescue program. The report was an informational report and no Council action was required. (Attachment 7)

On February 4, 2009, International Association of Firefighters (IAFF) Local 689 filed a grievance with the fire chief regarding placing the "Fire Boat Program" out of service and indicated the Alameda Fire Department is unable to respond to emergencies on the water. They argued that was a change in working conditions and was a matter subject to bargaining based on their contract with the City. (Attachment 8)

On March 5, 2009, the fire chief denied the grievance filed by IAFF Local 689 due to untimeliness of the grievance being submitted, failure to allege issues subject to the grievance procedure, and the authority of the City to set standards of service. (Attachment 9)

On March 9, 2009, the acting city manager was notified by the fire chief through e-mail of noncompliance issue of the fire department rescue swimmers training required for certification. The fire chief received approval to use \$10,000 overtime from his existing budget, provided he does not go over the department's current budget. (Attachment 10)

On March 16, 2009, the Water Rescue Swimmers Program was placed on hold (Bulletin 1762) and a policy implemented that, "Previously qualified rescue swimmers shall not enter the water." No documented rescue swimmer training had occurred for over 12 months. The department's training standard required 24 hours training annually to maintain certification. Refresher training and recertification was going to be scheduled

in the next 30 to 45 days. If water rescue incident occurs, incident commanders should request appropriate resources such as Coast Guard, Alameda County Fire, or Oakland Fire. (Attachment 11)

On May 28, 2009, The acting city manager upheld the fire chief's denial of the grievance filed by IAFF Local 689 after an appeals hearing on May 20, 2009, effectively ending the water rescue program. (Attachment 12)

Nature of the Call

A brief discussion is warranted on the nature of the call. The initial call went to the City of Alameda, the Public Safety Answering Point (PSAP) for police and fire emergency calls for service within the jurisdiction of the City of Alameda. Alameda Police are dispatched directly from this PSAP, while calls for fire emergency services are transferred to Alameda County Regional Emergency Communications Center for dispatching of the City of Alameda Fire Department. Police radio communications and requests for resources are handled through the same PSAP. Alameda Fire Department radio communications and requests for resources are handled through the Alameda County Regional Emergency Communications Center.

Since the nature of the request for emergency response was for "a person attempting suicide," Alameda police was the first agency dispatched. The City of Alameda PSAP then requested a fire response through Alameda County Regional Emergency Communications Center. Typically, in a suicide attempt the police department serves as the lead agency. Fire department personnel are directed to respond for the emergency medical aspects of a suicide attempt. Normally, they would be directed to hold back or "stage" in a location within proximity until the police department has assured it is safe for their personnel to enter.

However, in this case the method of the suicide attempt was reported to be by drowning in the ocean waters at Crown Beach indicating a need for a potential water rescue. In a water rescue response, typically, the fire department serves as the lead agency.

The nature of this call was unique to the City of Alameda police and fire departments. As a consequence, personnel were not experienced managing this type of emergency incident. A statewide review of other agencies with water rescue programs revealed that suicides by drowning are infrequent. However, responding to a person in the act of attempting suicide by drowning is extremely rare, although not without precedence.

Conventional Response

Before discussing the actual events of the City of Alameda call, a brief discussion of what a conventional response to a person threatening suicide by drowning might look like is warranted.

A multi-agency response is likely to a call of this nature. Therefore, a well coordinated effort is required.

Upon arrival, the first emergency response agency should assume command and give a brief description of what they find (report of conditions). Next, they should establish a command location, and direct incoming resources to locations and assignments, as appropriate. Information should be relayed to responding agencies that may not be on the same radio frequency.

Where multiple agencies or multiple jurisdictions will be part of the plans, operations, and logistics of the response, it may require a unified command structure. If not in unified command, having liaisons for the different agencies and jurisdictions available to the command structure is vital. Independent action is discouraged. Requests for additional resources should be made formally through the command and control structure using normal channels of communication. This may vary slightly depending on the size and complexity of the emergency.

The basic crisis management response protocol to a suicidal person is to locate, isolate, and negotiate. Once the subject is located, he or she should be isolated from harming others, including the public and emergency response personnel. This may entail evacuation of bystanders in proximity to the subject, by establishing inner and outer perimeters to limit access. Consideration must be given to the potential for weapons, as suicidal people can easily become dangerous to others when they feel threatened or at risk of being stopped from carrying out their intended goal. Suicidal subjects may threaten law enforcement officers or others to precipitate their own death.

The negotiation process is begun by establishing contact with the subject by someone in authority offering to help them. It would be preferable for that contact to be by someone trained in crisis negotiations who is skilled at speaking in a calming, non-threatening manner, developing trust and rapport with individuals, and knowledgeable in suicide prevention techniques. The objective of the negotiation is to get the person to

self-surrender and come out of the water on their own volition. They would then be detained for up to 72 hours within the mental health system for further evaluation by mental health professionals under 5150 of the Welfare and Institutions Code.

Availability and timeliness of response may drive the need for operational flexibility. This means that any properly trained and equipped public safety personnel who could safely approach the individual without undue risk to themselves could be used to initiate contact. Backup personnel must always be provided for safety.

In a case with a suicidal person in ocean waters with temperatures affecting survivability, available time to successfully initiate a negotiation may be reduced. Getting close enough to the subject to make an offer to help, yet not so close as to be a threat to them or to the rescuer, is of primary importance.

Land based water rescue is the safest method for rescuers. Watercraft based rescue is secondarily preferred. Entry into the water by trained and certified rescue swimmers is the riskiest method and should be used as the last resort.

Entry into the water by personnel who are not certified, trained, and properly equipped should not be an option.

The subject should be approached in a manner to be non-threatening to the subject and does not place the safety of the rescuers at risk. A rescue floatation device, rescue buoy, or "rescue can" should be placed within reach of the suicidal subject as the offer to help them is made in a calming manner. The rescuers should assess the subject's physical and mental condition. Does the subject refuse the rescue buoy? Does the subject move away? Is the subject showing signs of lack of oxygen (blue lips)? Are they disoriented? Are they having difficulty breathing? Are they swimming or standing? Does the subject show signs of aggressiveness?

Rescuers should not attempt to overpower, restrain, or come within reach of a suicidal subject in the water. The rescuers should avoid becoming part of the rescue mission. Negotiations should continue until the subject self-surrenders, is too weak to resist, or becomes incapacitated, at which point all life saving efforts should be employed immediately. Simultaneously to initiating contact, the following activities should be coordinated through the incident command:

1. An appropriate type rescue boat with at least 2 rescue swimmers and a boat operator should be in proximity to the negotiators in the event the subject cannot be negotiated

into self surrendering. If the subject becomes incapacitated, immediate rescue should be initiated.

2. Intelligence and background information about the subject should be gathered for use by the negotiators.
3. Spotters should triangulate and maintain the location of the subject and rescuers.
4. Additional mutual aid resources which may be necessary should be identified, requested, and documented, including capabilities and response times.
5. Establish organizational structure appropriate to the need of the response (Public Information Officer, Logistics, Plans, Air Operations, and other necessary command and control branches).

Negotiations with suicidal persons by trained personnel are highly effective and more often than not end successfully once meaningful negotiations are instituted.

Review of Crown Beach Incident

May 30, 2011 - Incident Timeline

11:30:08 - Initial call received by Alameda Police Dispatch - person in the water threatening suicide

11:32:29 - Police units dispatched

11:32:42 - Alameda Police Dispatch calls U.S. Coast Guard for response to person in the water (Estimated Time of Arrival - 40 min)

11:33:59 - Alameda Police Dispatch contacts Alameda County Regional Emergency Communications Center for Fire response

11:34:58 - First police unit arrives at scene

11:35:00 - U.S. Coast Guard opens case 204-11

11:35:40 - Alameda Police Dispatch request for Alameda Sheriff boat - NOT AVAILABLE

11:36:25 - Fire Medic 1 arrives on scene

11:36:39 - Police have visual of subject (approximately 150 yards out)

11:36:59 - Police lieutenant requests that dispatch call Oakland PD for their boat

11:37:09 - Alameda Police Dispatch calls Alameda County Regional Emergency Communications Center for boat status, (closest boat in San Leandro-30 min Estimated Time of Arrival). No request for response made.

11:37:10 - Alameda Police Dispatch calls Oakland Police Dispatch for boat availability (Oakland Police Dispatch will call back)

11:37:20 - Police lieutenant arrives on scene (CAD log)

11:38:20 - Fire Engine 1 arrives on scene

11:42:14 - Alameda Police Dispatch calls U.S. Coast Guard for updated response time (Estimated Time of Arrival 15 min)

11:45:06 - There was a miscommunication over the use jargon between Alameda Fire through Alameda County Regional Emergency Communications Center and the U.S. Coast Guard regarding use of the term "rib" (RHIB vs RBS)

11:47:09 - Alameda County Regional Emergency Communications Center advises Engine 1 that U.S. Coast Guard RHIB is on the way

11:50:00 - Kitesurfer contacts subject in water (time approximate)

11:51:00 - U.S. Coast Guard Unit 25439 crew underway, helicopter authorized also.

11:55:00 - Kitesurfer reports to police on shore that the subject says he is "OK" and reports that the subject does not appear to be in distress. (time approximate)

11:59:00 - Fire Battalion Chief arrives at scene (time approximate)

11:59:11 - Police unit on scene with U.S. Coast Guard Commander (advises new Estimated Time of Arrival 6 min)

12:02:29 - Oakland Police advise their boat is NOT AVAILABLE

12:05:47 - Police unit on scene advises that they lost sight of subject in water

12:06:00 - Phone call from nearby resident to Alameda Police Dispatch - reporting subject seen face down in water

12:10:00 - U.S. Coast Guard on scene (unable to get close due to shallow water)

12:11:31 - Alameda battalion chief requests Truck 1

12:15:00 - U.S. Coast Guard Senior Chief notifies Fire that U.S. Coast Guard RBS cannot enter shallow water, U.S. Coast Guard helicopter lifts off from SFO after refueling.

12:17:46 - Truck 1 arrives at scene (time approximate)

12:18:00 - U.S. Coast Guard Senior Chief calls Oakland Fire for shallow water boat (at Station #12, approximately 3 miles away)

12:18:01 - Alameda battalion chief establishes "Shoreline Command"

12:19:00 - East Bay Regional Park Police has no boat out (in Del Valle near Livermore)

12:24:40 - East Bay Regional Park Police has a small zodiac boat (at Tidewater in Oakland, approximately 7 miles away)

12:25:46 - Oakland Fire Dispatch calls Alameda County Regional Emergency Communications Center - U.S. Coast Guard requesting shallow water boat from

Oakland Fire. Boat not requested at this time by Alameda County Regional Emergency Communications Center.

12:26:00 - Bystander enters water to retrieve subject's body. (40-50 yards into water)

12:30:12 - Oakland Fire Dispatch calls Alameda County Regional Emergency Communications Center back - Alameda County Regional Emergency Communications Center requests they respond with their boat

12:30:53 - Oakland Fire Station #12 dispatched with shallow water boat - Incident 31540

12:31:31 - Alameda County Regional Emergency Communications Center calls Oakland Fire Dispatch - cancels request for their response

12:31:34 - U.S. Coast Guard calls Alameda County Regional Emergency Communications Center and advises them they are canceling their response

12:32:53 - Oakland Fire Station #12 cancels their response

Obstacles

There were a number of obstacles that were faced in the response to the suicide incident that occurred on May 30, 2011, at Crown Beach. Some were beyond the control of incident command. Others were within their control. The following list are some of the more significant issues affecting the management of the response:

Command and Control

There were a number of breakdowns in the command and control of the incident. The initial communications between police and fire department supervisors was not optimal for a well coordinated effort to occur. While there was some improvement later in the incident, the initial contact set the tone and was disruptive to the command and control process, and led to frustration and diminished communications.

Lack of cross training between police and fire led to lack of understanding of each others resources and capabilities, as well as functionally operating in a unified command and control structure.

The complex nature of the incident demanded coordination of efforts between police and fire, and a broader regional multidisciplinary coordinated response. The basic command and control structure was not put in place to facilitate such a coordinated effort.

The result was information gaps, independent actions, resource availability misinformation, lack of coordination, and a disjointed emergency response effort.

Some examples include:

1. Police personnel on the scene were unaware that the fire department water rescue program was no longer functional or operational for the past 2 years.
2. Fire department initial contact with police was perceived as uncooperative and inappropriate, resulting in a barrier to information sharing and teamwork.
3. Upon notification to police command staff of their inability to conduct a water rescue, fire department personnel did not share knowledge of water rescue mutual aid resources. Information contained in the Alameda County Daily Resource Situation Status Report was never shared with police command staff. Fire department personnel did not request mutual aid resources available from the report. Of primary importance was the proximity of Oakland Fire water rescue and the direction from Fire Information Bulletins to request them early in any water rescue situation.
4. The incident was operating within the jurisdiction of the East Bay Regional Park. Notification, response, and coordination with their police and fire departments did not occur promptly.
5. Lack of command and control led to police and fire operating in silos. This resulted in poor coordination, independent actions, and missed opportunities to share information. There was some improvement later in the incident with the arrival of the Alameda fire battalion chief.

Availability of local water rescue capability

Not providing public safety personnel with the tools and training necessary to respond to water emergencies, in a city surrounded by water, places the employees in unsafe and precarious situations. It is a formula for failure.

Elimination of the fire department rescue boat in 2008 and the rescue swimmer program in 2009 resulted in the City of Alameda fire department not having the necessary equipment, certified training, or personal safety protective gear to enter the water safely at Crown Beach on May 30, 2011. They were unable to provide support to police personnel to gain access to the suicidal subject in the water or to perform a water rescue when it became necessary.

The elimination of the fire boat and rescue boat stemmed from very old equipment requiring significant maintenance that was not funded. It was estimated by the fire chief in a memo to the city manager that each vessel would require approximately \$60,000 to bring them into operational condition. The fire chief recommended elimination of the boat program in favor of seeking grant funding for personal water craft. Personal water craft were never obtained by the fire department.

The rationale for the elimination of the rescue swimmer program is less clear. Records indicate it was the intent of fire management to maintain that program. However, it appears from fire department training records and from a memo dated March 16, 2009 that rescue swimmer training last occurred in 2008. From department records, it appears that insufficient overtime availability was the reason for the discontinuance of training.

In an e-mail dated March 9, 2009, the fire chief informed the city manager that he intended to use \$10,000 in overtime from his existing budget to reinstate the training necessary to re-certify the rescue swimmers. The chief received approval from the city manager, provided he did not exceed his approved budget.

In a department bulletin dated March 16, 2009, the deputy chief placed the rescue swimmer program on hold and set a policy that "previously qualified rescue swimmers shall not enter the water" to conduct water rescues. He indicated that refresher training and recertification would be scheduled in the next 30 to 45 days.

The refresher training and recertification did not occur. No documentation could be found to determine why the training did not happen. The logical assumption is that the fire chief did not believe he could accomplish the training within his approved budget. However, no evidence was found to demonstrate that it was effectively communicated to the department, to the City Council, and to the community that the program had ended. The department budget continued to indicate "water rescues" was part of the fire department performance measures, even after the program was ended.

The result of the elimination of the rescue swimmer program is that on May 30, 2011 reliance on mutual aid became the primary method of providing a safe response.

The police department has a patrol boat and personal water craft. However, the boat is too large to enter the shallow waters at Crown Beach. The personal water craft were unavailable due to an inadequate number of on-duty trained personnel to operate them. Unlike the fire water rescue program, the police boat program was not designed or funded to provide constant staffing of the marina and waterways.

Terminology - Use of Jargon

The Standardized Emergency Management System (SEMS) was developed to improve management, coordination, and communication of complex or large scale emergency operations between various disciplines. As part of that system, terminology is standardized to reduce miscommunication between disciplines who each have their own jargon, abbreviations, or language.

The Incident Command System (ICS) also encourages the use of "plain text" language and the elimination of jargon and abbreviations.

A seemingly small use of jargon in this incident resulted in a significant misunderstanding and created operational expectations that may have delayed the requesting of the appropriate type of rescue equipment and capability required for operational effectiveness.

Approximately 15 minutes into the incident, from the initial call for a response, and before his arrival at the scene, the on-duty Alameda fire battalion chief contacted Alameda County Regional Emergency Communications Center. Alameda County Regional Emergency Communications Center serves as the dispatch center for the City of Alameda Fire Department. He requested that Alameda County Regional Emergency Communications Center contact the U.S. Coast Guard to confirm that the U.S. Coast Guard boat responding was a "RHIB," pronounced "rib," for Rigid Hull Inflatable Boat, which is capable of operating in shallow water.

When the Alameda County Regional Emergency Communications Center dispatcher contacted the U.S. Coast Guard, she asked "Are you sending a "rib?" The U.S. Coast Guard Search & Rescue dispatcher confirmed that they were. The Alameda County Regional Emergency Communications Center dispatcher then confirmed to the Alameda battalion chief that U.S. Coast Guard was responding with a "rib." The

dispatcher then notified Alameda engine 1 on the radio that the U.S. Coast Guard was responding with a "rib."

The U.S. Coast Guard was responding with a 25' Rescue Boat, which in U.S. Coast Guard terminology is referred to as a "RBS" or Rescue Boat-Small, also pronounced "rib." A Coast Guard Rescue Boat-Small is not capable of safely entering waters more shallow than six feet in depth.

This miscommunication resulted in command personnel on the scene expecting the responding U.S. Coast Guard vessel to have different operational capabilities than it had.

Policy

It is the policy of the Alameda Fire Department not to allow personnel who are not currently certified as lifeguards or rescue swimmers to enter the water to perform water rescues.

This policy is consistent with the policies of all the water rescue programs throughout the state of California that were reviewed. Personnel who are unable to pass recertification tests are disqualified or discharged from the programs. (Attachment 13)

Every water rescue program reviewed have standards of training and testing for personnel certified and assigned as lifeguards, rescue swimmers, and boat operators (Attachment 14). Typically, there is an initial training period, an annual training requirement for continuing education, and an annual or biannual required swim test of 500 yards in 10 minutes.

While the training standards, hours, and swim test may vary slightly from jurisdiction to jurisdiction, it was consistent that personnel in the programs who failed to meet the standards or maintain their skills were disqualified from performing water rescues until they passed department standards and are re-certified.

Safety and Training

Considering conditions present on May 30, 2011 command personnel on the scene considered it unsafe to enter the water to perform a crisis negotiation and water rescue.

The factors leading them to that decision included: distance to the subject in the water, temperature of the water, potential violent nature of the subject, lack of certified rescue

swimmers, lack of personal protective gear, lack of a shallow water rescue boat, and a belief that the subject was within the survivability window for the responding mutual aid.

Police and fire work is often dangerous. A basic principal in an emergency response is always to ensure the safety of your personnel. While police officers and firefighters are expected to engage in activities that often place their personal safety at some risk, it must be done in a manner in which those risks are reasonable and mitigated through training, equipment, and operational policies and procedures. Emergency responders must operate within the knowledge and scope of their training.

California Occupational Health and Safety Standards (Cal OSHA) requires employers to have a Risk Management and Prevention Plan (RMPP). As part of that plan, employers must identify hazards in the workplace and put measures in place to eliminate or minimize those workplace risks and hazards. If any employer, supervisor, or manager knew or "should have known" of a workplace risk or hazard and does not take steps to mitigate that hazard they may be subject to civil and criminal liability.

In law enforcement and fire those risks and hazards are often mitigated through training, equipment, and policies and procedures. For example, police officers are often sent into a building to subdue a violent criminal with the proper personal protective equipment and training in special weapons and tactics. Firefighters are sent into buildings containing hazardous materials that pose dangerous exposure to the public when trained and certified in hazardous materials response and equipped with appropriate protective clothing and self-contained breathing apparatus.

Similarly, water rescues are extremely dangerous situations requiring properly equipped and trained personnel. Fire personnel on the scene lacked the equipment and certification to safely perform a water rescue. Police personnel on scene had never received any water rescue training.

Dealing with suicidal persons are also extremely dangerous situations requiring properly equipped and trained personnel. While competent to deal with potentially violent persons, police personnel were not equipped or trained to do so in underwater conditions. Fire personnel were neither trained in crisis communications, nor dealing with potentially violent persons.

Rescue swimmers and lifeguards are trained to deal with drowning victims who want to be rescued. Additionally, they are trained to deal with drowning victims who panic and

attempt to grab onto them. They do so by dropping under water and kicking and swimming away from the victim until the victim tires or becomes non-threatening to the rescuer. Once given a rescue floatation device, most drowning victims will become cooperative with the rescuer.

Sending either police or fire personnel 150-200 yards into 54 degree water at a 5 foot depth to deal with a suicidal and potentially violent subject posed safety, equipment, and training issues for incident commanders.

Mutual Aid

Utilization of mutual aid occurs frequently in California. Alameda County Fire serves as the Operational Area Coordinator for California Emergency Management Agency (Cal EMA) Region II. They maintain a "Daily Situation & Resource Status Report" that lists what resources are available for mutual aid requests. The report is updated regularly and lists chief officers, strike teams, air support, water rescue, heavy rescue, and other mutual aid resources.

On the day of the incident, neither police nor fire personnel on the scene demonstrated a good understanding of what mutual aid resources were available, what the capabilities were of each mutual aid asset, and what resources had the closest proximity and best estimated response times. Without a local capacity to provide water rescue capability by the City of Alameda reliance on mutual aid became mandatory for water rescue responses.

This need was identified to fire department personnel in Informational Bulletin #1733 on April 17, 2008 when the fire department Rigid Hull Inflatable Boat (RHIB) was placed into limited service. Direction was given to consider Oakland Fire for rapid deployment of Inflatable Rescue Boats (IRB's) on trailers.

This need was again identified to fire department personnel in Informational Bulletin #1734 entitled "Update on Status of the Rescue Boat (RHIB) on May 1, 2008 when the fire department RHIB was taken out of service.

The bulletin specifically stated the deputy chief had, "Contacted Oakland Fire to advise them of the situation and let them know we will be contacting them for Mutual Aid for any water rescue incident. Incident Commanders should also initiate Mutual Aid calls to our other maritime partners at the beginning of any water rescue incident. Our other maritime resources include: U.S. Coast Guard, ALCO Sheriff, and Alameda Police."

The closest available mutual aid water rescue resource with shallow water rescue capability on May 30, 2011 was Oakland Fire, located approximately 2-1/2 miles away at Oakland Fire Station #12 located at 822 Alice Street. This mutual resource was not requested until the U.S. Coast Guard Senior Chief arrived at the incident at approximately 12:18pm.

Jurisdiction	Resource	Availability
United States Coast Guard	Rescue Boat - Small (RBS) - not shallow water capable	Available / Estimated Time of Arrival 40 min
East Bay Regional Park Police and Fire	Patrol Boat Zodiak Boat	Not available Available / Estimated Time of Arrival 30 min to 1 hour
Oakland Police	Patrol Boat	Not available
Oakland Fire	Shallow water capable	Available / Estimated Time of Arrival 15 min.
Alameda County Fire	Shallow water capable	Available / Estimated Time of Arrival 30 min
Alameda County Sheriff	Patrol Boat	Not available

Water and Weather

The conditions of the water and weather at Crown Beach on May 30, 2011 between 11:30am and 12:30pm played a significant role in determining what actions were taken by incident command. The conditions were factors in considering the safety of emergency response personnel, timeliness of mutual aid response, and survivability.

The water temperature near Crown Beach was approximately 54 degrees Fahrenheit at the time of the incident. The tide was approximately 4.75 to 5 feet with swells of approximately 1 to 3 feet high. The wind speed was approximately 6 MPH from a west to northwest direction. The air temperature was 61 degrees Fahrenheit.

Time

Time was a critical factor in the response to the Crown Beach Incident. Without the local capability (equipment and training) for police negotiation or water rescue by the

City of Alameda, reliance on mutual aid became the primary emergency response resource. An initial estimated time of arrival of 40 minutes had been received by police dispatch from the United States Coast Guard before the arrival of the first police unit on the scene.

One of the police personnel on the scene was a former marine with some shipboard training on survival. He estimated survivability of approximately 1-2 hours for water temperatures in the mid 50's. Twenty-five minutes into the incident, police received information from a kitesurfer who had contacted the subject in the water. He reported that the subject did not appear to be in distress and was saying he was "OK." Police personnel believed the U.S. Coast Guard was only a few minutes from arriving.

Time was a factor in the decision making of the police incident commander (IC). With information that the large male subject had attempted suicide on two prior occasions, the IC considered calling police negotiators. It was decided it would take too long for them to arrive based on existing conditions, and neither police nor fire had any safe method to get a negotiator out to the subject in the water. The police IC also considered commandeering local civilian boat resources, but decided time was inadequate to get one to the scene based on the location of the incident and the location of the marinas.

From the time of the arrival of the first officer (11:34:58 am) until the subject was reported being seen face down in the water (12:06:00 pm) was 31 minutes, 2 seconds. It was reported that the subject was in the water for only a short time before the first call was made to the Alameda Police Dispatch Center (11:30:08 am). However, the first arriving officer estimated the subject to already be approximately 150 yards out into the water when he arrived.

According to the United States Search & Rescue Task Force, immersion in cold water can quickly numb the extremities to the point of uselessness. Within minutes, severe pain clouds rational thought. And, finally, hypothermia (exposure) sets in. However, this will vary in each case due to the specific circumstances and physical condition of the person involved.

Normal body temperature is 98.6. Shivering and the sensation of cold can begin when the body temperature lowers to approximately 96.5. Amnesia can begin to set in at approximately 94, unconsciousness at 86 and death at approximately 79 degrees.

The chart below provides a general guideline of expected survivability times in cold water:

Expected Survival Time in Cold Water (United States Search & Rescue Task Force)		
Water Temperature	Exhaustion or Unconsciousness in	Expected Survival Time
70–80° F (21–27° C)	3–12 hours	3 hours –indefinitely
60–70° F (16–21° C)	2–7 hours	2–40 hours
50–60° F (10–16° C)	1–2 hours	1–6 hours
40–50° F (4–10° C)	30–60 minutes	1–3 hours
32.5–40° F (0–4° C)	15–30 minutes	30–90 minutes
<32° F (<0° C)	Under 15 minutes	Under 15–45 minutes

Recommendations

The police and fire departments have conducted internal incident reviews, evaluations, and meetings regarding their response to Crown Beach on May 30, 2011. They have already implemented several corrective actions to address identified deficiencies. The following recommendations are intended to address the specific findings regarding the response to the suicide at Crown Beach on May 30, 2011.

However, these recommendations are not intended to address all the public safety needs for water emergencies for an island City. The recommendations do not address responses to fires in marinas or law enforcement patrol functions common to a jurisdiction such as the City of Alameda.

1. Provide equipment, training, and certifications to police and fire departments to provide the ability to rapidly respond to water emergencies surrounding the City of Alameda.

2. Provide redundancies in the equipment to accommodate out-of-service time for maintenance. The number of trained and certified personnel should allow for absences and turnover due to personnel injuries, leaves, and retirements.
3. Provide incident management training to all supervisors and managers in the police and fire departments.
4. Provide crisis communication training to all field police personnel and fire department rescue swimmers.
5. Develop clear policies on responsibilities of police and fire in water rescue emergencies and conduct regular training to satisfy those responsibilities.
6. Schedule and conduct regular cross training and familiarization between Alameda Police and Fire. The training should include Incident Command System (ICS), Standardized Emergency Management System (SEMS), multidisciplinary responses, joint responses to complex emergencies, and mutual aid.
7. Conduct joint regional training and familiarization with mutual aid resources (City of Oakland, Alameda County Fire, Alameda County Sheriff, East Bay Regional Park, and U.S. Coast Guard). Develop and maintain current understanding of the resources, locations, and capabilities.
8. During critical incidents when life safety is at risk and resource requests are receiving uncertain estimated arrival times, order multiple resources that have a reasonable probability of arriving. It is better to cancel those that are not needed than to never have request them.
9. Mutual Aid resource requests should be made through the appropriate mutual aid channels to avoid confusion and delays in resource ordering.
10. Eliminate the use of jargon when talking to outside agencies or persons not familiar with language specific to your agency.
11. Increase the number of trained personnel within the police department to operate the existing personal water craft when required for emergencies. The equipment is currently underutilized.


12. Direct the police chief and fire chief to make recommendations to the City Manager for appropriate levels of service to support public safety response capabilities to water emergencies specific to the City of Alameda.
13. Provide an identifiable and stable budget to support the service levels approved by the City Council.
14. Funding should include personnel training and certification, as well as maintenance and replacement costs of equipment based on reasonable life expectancy to ensure usefulness and safety.

Attachments:

1. Alameda Fire Department Water Rescue Program General Orders Bulletin 1-46
2. Alameda Fire Department Water Operations Program Update (Bulletin 1672)
3. Alameda Fire Department Update on Water Operations Program (Bulletin 1723)
4. Alameda Fire Department Status of rescue Boat (Bulletin #1733)
5. Alameda Fire Department Update on Status of Rescue Boat (Bulletin #1734)
6. Memo - Fire Department Water-Based Operations (December 16, 2008)
7. Letter from IAFF Local 689 to Mayor and City Council (January 6, 2009)
8. Grievance from IAFF Local 689 (February 4, 2009)
9. Letter from Fire Chief to Local 689, Denial of Grievance (March 5, 2009)
10. E-mail from Fire Chief to Acting City Manager - Use of \$10,000 in overtime for rescue swimmer recertification
11. Alameda Fire Department Operations Status Change - Surface Water Rescue Swimmers (Bulletin 1762)
12. Letter from Interim City Manager to Local 689 - Denial of Grievance (May 28, 2009)
13. Los Angeles County and City Fire Policy on recertification of lifeguards
14. Standards and Training for rescue swimmers and boat operators

Attachment 1

ALAMEDA FIRE DEPARTMENT

	Subject: Water Rescue Operations	Policy Number GOB 1-46
	Approved By: Fire Chief James Christiansen	Page 1 of 15
	Refer To: Captain Pat Paich	Effective Date: January 8, 2003
	Policy Review Date:	Revised Date:

PURPOSE: To provide standard operating procedures for the following situations.

1. Water rescue incidents occurring in the estuary, pools, lagoons and bay waters surrounding the city limits of Alameda.
2. Rescue activities in response to imminent dangers and natural disasters consistent with EOP of Alameda, and when available for Mutual Aid response.

RESPONSIBILITY: It is the responsibility of all members to understand and adhere to the safety guidelines set forth during water related activities.

POLICY: The intent of this policy is to provide operational guidelines for water rescue personnel during the following emergency and non-emergency situations:

Rescue of persons in the water

Vessel taking on water

Vessel in need of towing to safe haven

Medical calls for assistance while on a vessel underway


Miscellaneous distress calls from a vessel

AUTHOR: The Fireboat/Water Rescue Committee under the auspices of the Alameda Fire Labor Management Team (F.L.M.T).

AUTHORITY: The California Emergency Plan, in accordance with the California Emergency Services Act, provides authorities and responsibilities, and describes the functions and operations of all levels of government during extraordinary emergencies. As an extension of the California Emergency Plan, the County of Alameda.

Under the City of Alameda Multi-Hazard Functional Plan for Emergency Operations, the Fire Department is given primary responsibility for all surface water rescue operations within the city limits of Alameda.

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The Fire Department is required by the Emergency Operations Plan to maintain written operational plans for response to extraordinary emergency situations associated with natural disasters.

1. INTRODUCTION

1.1 Background:

The Alameda Fire Department Water Rescue Program includes three elements. First is the use of Shore Based Water Rescue techniques. Second is the use of Boat-based Water Rescue techniques using a Rigid Hull Inflatable Boat. The third element is the implementation of Rescue Swimmers with Rescue Boards. These elements will be described in detail later in this policy.


Shore and Water-based Firefighting operations will be addressed in a separate policy.

2. Definitions:

2.1 Rescue Boat Crewmember: Any fire department member trained and certified by the Fire Department Training Division to the Water Rescue Operational level who will be assigned the rescue boat during non-emergency and emergency situations. The members are responsible for the following duties:

- Assist the Boat Operator to safely navigate and operate the boat.
- Perform the duties of a Boat Operator if s/he becomes incapacitated.
- Operate all rescue equipment and perform boat-based rescues only.
- Perform water-based rescue(s) *only* during emergent life safety situations to assist and/or help a Rescue Swimmer.

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2.2 Boat Operator: Any fire department member trained and certified, by the Fire Department Training Division to the Water Rescue Operational level who will be assigned to operate the rescue boat during non-emergency and emergency situations. These members are responsible for the following duties:

- Provide for the safety of their crew and any other person embarked on the boat while safely operating and navigating the rescue boat.
- Familiarization with all marinas and waterways surrounding the city of Alameda.
- Familiarization with local tides and currents and their affect on rescue operations.
- Familiarization with the Weekly Notice to Mariners issued by the U.S. Coast Guard.
- Train members to be qualified Crewmembers.

2.3 Water Rescue Swimmer: Any member trained and certified by the Fire Department Training Division, who will be assigned to perform water-based rescue operations from the shore or rescue boat during non-emergency and emergency situations. The members are responsible for the following duties:

- Utilize rescue devices such as rescue boards, throw bags, torpedo buoys and any other means necessary to effect a rescue.

2.4 Land-based Water Rescue: A level of training provided by the Fire Department Training Division that allows a department member to perform within a given scope of practice during a water rescue emergency. All line personnel will be trained to this level. Land-based Water Rescue level members are responsible for the following:

- Assist in a water rescue incident from shore.
- Personal Flotation Devices must be worn within 15 feet of the water.
- Provide support to Rescue Swimmers

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3. Roles and Responsibilities


3.1 Incident Commander. Responsibilities include:

- Taking command of the incident
- Overall scene management.
- Requesting and assigning additional resources if needed.
- Coordinate with outside agencies for emergency operations
- Taking necessary action to prevent further injury and or loss of life in accordance with this instruction and Fire Department Policy.

3.2 Incident Safety Officer. Responsibilities include:

- Identifying and evaluating hazardous situations.
- Providing direction to the Incident Commander regarding the safety of operations.
- Authority to stop any unsafe actions and provide corrective action as needed.

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3.3 Captains. Responsibilities include:

- Responsible for the initial size-up and establishing Command.
- Provides for the safety of all personnel on the boat.
- Ensure an effective water rescue can be accomplished based on current weather and operational conditions.

3.4 Boat Operator. Responsibilities include:

- The safe operation of the boat
- Ensuring all members on board their vessel abide by all current policies

3.5 Crew Member. Responsibilities include:

- Knowledge in the use of all rescue equipment carried on the boat.
- Performing basic boat operations leading up to and including ability to operate the boat if needed.

3.6 The Alameda County Sheriff's Department. Responsible for:

- Perform body recovery.
- *Under no circumstances will fire department personnel be used for body recovery.*

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4. POLICY

A. For a reported person in the water a full response will be utilized (see GOB 1-2). If units initially responding do not have the appropriate resources, ie: two Rescue Swimmers, two Paramedics with an Ambulance, etc. Additional resources may need to be ordered. The intended use for the assignment will be as follows:

1st engine Water Rescue Swimmer on Rescue board.

The first engine on scene will have the Rescue Swimmer suit up and have his/her rescue board available for deployment. It is preferred to have two Rescue Swimmers on shore before a rescue is attempted. However, Rescue Swimmer may start to paddle out if a second Rescue Swimmer is confirmed enroute. This decision will be made by the Rescue Swimmer after he/she makes a full risk assessment of the situation.


2nd engine Back up Rescue Swimmer on board

The second Rescue Swimmer will normally be deployed from shore. However, if the Rescue Boat is used, a Swimmer deployed from the boat will count as the second Swimmer on scene.

2743 Staff Rescue boat

If it is clear that a boat-based rescue is a possibility, the Rescue Boat will be deployed. Normally this boat will be staffed by the crew from 2743. Members on the Rescue Boat must ensure they are in constant communications with command and any other vessels that may have been dispatched such as Coast Guard, Commercial Salvors, etc. If 2743 is unavailable, a second Boat Operator must be identified to staff the Rescue Boat. If no qualified Boat Operator is available, the Rescue Boat will not be staffed.

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Truck Crowd control, scene safety, lookout

During a water rescue incident, it is very difficult to locate persons from shore. The Truck Company will raise their aerial and the Firefighter will climb the aerial and attempt to locate the victim. Persons should not use white lights for searching since this affects a person's night vision and may cause further delay in locating a victim. Persons should use red or blue lamps to signal Rescue Swimmers as to what direction to move once a victim is located. The Truck Company Captain will act as the Safety Officer and the Apparatus Operator will act as the accountability officer.

Members acting as the Safety Officer at a water rescue incident will need to be able to readily assess pertinent hazards and any corrective actions that may be needed. All Officers and Acting Officers shall receive this training

Ambulance Provide medical care


The ambulance will respond to the scene to provide medical care to the victims. The Ambulance crew should be close to the entry point of the Rescue Swimmers to facilitate a rapid assessment of the patient.

2710 Incident command

The Duty Chief will assume command of the incident upon arrival after a transfer of command from the first company on scene (if applicable). The Duty Chief will assess the situation and request additional resources if needed. Other resources may include Coast Guard, East Bay Parks or Alameda County Sheriffs. Command will request additional resources via dispatch.

For a person in the water for which units have a visual sighting, the Coast Guard will send a vessel if available. If a search for a victim is warranted, the Coast Guard will send a Helicopter if available. The Coast Guard Station that will normally respond to Alameda is Station San Francisco located at Yerba Buena Island. That station may be contacted at (415) 399-3478 or Marine Channel 21A. Duty Chiefs or Captains may also contact the Coast Guard Group San Francisco Command Center, (the parent command of Station San Francisco and all Coast Guard Search and Rescue Stations in the Bay Area) directly at (415) 399-3451 or via Marine Channel 16.

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5. PROCEDURES

5.1 Strategic Priorities in dealing with a Water Rescue incident are as followed:

- Protection of rescuer life
- Protection of victim life
- Protection of the environment
- Protection of property and equipment.

5.2 Tactical Considerations


5.2.1 Search for victims

- Utilize all available resources
- Conduct search from shore when possible
- Utilize boat to search if appropriate
- Utilize other resources such as Coast Guard or Police for traffic control

5.2.2 Rescue of Victims

- Attempt shore-based rescues (throw, row only then go)
- Rescue Board based rescues
- Boat-based rescues
- Swimming rescue by Rescue Swimmer (only as a last resort)

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6. SAFETY

6.1. Entering the Water

- 6.1.1 Personnel shall conduct rescue operations from the shore or a boat, when ever possible. Firefighters shall not enter the water except as a last resort to save lives. The decision to enter the water for any operation should be made by the highest trained personnel for water related incidents at the scene. The following factors shall be considered:
- The potential danger to personnel. Firefighters shall not enter the water unless trained at or above the Rescue Swimmer level.
 - The ability of personnel to operate in the water with a reasonable margin of safety.
 - No personnel are to be within fifteen (15) feet of the shoreline without proper personal protective equipment.
 - The ability of the Incident Commander or Company Officer to insure backup rescue capabilities for firefighters in the water.
 - The importance of the objective (are lives endangered ?) Rescuers shall not be placed in life-threatening situations for body recovery.
 - The potential for successful conclusion (can the objective be accomplished, or is it a no-win situation ?)
 - Rescuers shall not enter the water if conditions require safety equipment, which is not available.
 - The primary rescuers shall have the authority to stop any rescue operation if they think the operation is unsafe to the rescuers or the victims.

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6.2 Hazardous Operations

6.2.1 When obvious hazards exist, personnel shall not be placed in vulnerable positions unless necessary to save lives. The following are examples of operations that shall not be conducted if personnel will be exposed to unreasonable life hazards:

- a. Body or Property Recovery. Under no circumstances are lives to be risked for the purpose of body recovery or any other activity not essential for protection of life.
- b. Firefighting operations on waterfront structures or adjacent to moving water where no lives are threatened and where personnel are excessively vulnerable to falling in the water with full turnouts, SCBA, etc. See separate policy for more information.
- c. Ropes: No ropes shall be tied around the waist, torso, or any other part of the rescuers body when the rescuer is exposed to moving water.
- d. Vessel Operations: Operating near persons in the water with turning props is especially dangerous. Boat Operators must maintain eye contact with all persons in the water anytime a rescue vessel is used.

In addition, due to the hazardous nature of the conditions outside the Golden Gate Bridge, operators may not maneuver any vessel outside of the Golden Gate Bridge without approval from a Chief Officer.

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6.2.2 Downcurrent Safety:

A Downcurrent Safety position shall be established at all sites for the protection of rescuers and victims, and whenever personnel are attempting rescue in moving water, or when they are vulnerable to falling in accidentally. The downcurrent safety position should:


- a. Be positioned downcurrent of the rescue site with proper equipment (i.e. float bags, etc.) and be in an advantageous position to observe operations.
- b. Be prepared with trained technician personnel to attempt rescue if a firefighter or victim is swept past the upcurrent rescue point.
- c. Receive backup support from downcurrent safety positions whenever possible.

6.2.3 Upcurrent Safety/Lookout:

An Upcurrent Safety/Lookout position shall always be established at all water related incidents to warn of approaching vessels or dangerous debris in the water which put rescuers and victims at risk. The Upcurrent Safety/Lookout shall be used whenever personnel are attempting rescue in moving water. The Upcurrent Safety/Lookout should:

- a. Be upcurrent of the rescue site with proper safety equipment and in an advantageous position to observe dangerous debris and on coming vessels.
- b. Be positioned far enough upcurrent of the rescue site to allow adequate warning of dangerous debris in the water (to assure that personnel and the victim can be protected or move out of the way).
- c. Have adequate communications to warn personnel working downcurrent of dangerous debris.

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6.2.4 Prohibited Items:

Personal safety equipment designed for fire fighting is not safe to wear near moving water. When working in a position where personnel may slip or fall into moving water, the following items shall not be worn unless such items are required for fire fighting or other specific hazards.

- a. Turnout Coats and Pants
- b. Self-Contained Breathing Apparatus

6.2.5 Safety Equipment:

Personnel shall use appropriate safety equipment when available.

A. Head Protection:

Personnel in support positions shall wear rescue helmets for any swift water rescue and whenever there is danger of head injury.


Personnel in the water shall wear rescue helmets for any swift water rescue.

B. Foot Protection:

Out of the Water:

- a. Work boots and Turnout Boots (without turnout pants) are acceptable for personnel in support positions on land.
- b. The use of athletic shoes is acceptable.

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In the Water:

- a. Work boots and Turnout Boots are considered dangerous because they impede the rescuer's ability to swim. This is especially true in deep or swift-moving water.
- b. Athletic shoes are recommended.
- c. Footwear may be removed or personnel may wear fins, running shoes or wetsuit booties with protective soles.
- d. Decisions relating to footwear shall be left to the discretion of the rescue team.

7.0 Training


7.1 Qualification Process:

For Rescue Swimmer, Boat Operator and Boat Crewmember, a written sign-off procedure with specific tasks will be completed prior to a member being qualified. These qualification Sign-off documents are included as appendix A, B and C.

The Training Division will make the final determination to a member being qualified and will send correspondence to the member's Duty Chief to change the member's qualification status in Telestaff.

For Shore-Based Water Rescue/ Awareness Level trained members, a record of the training will be documented on a T-3 form and provided to the Training Division. All members shall receive Shore-Based training each year.

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7. 2 Refresher Training Requirements:

Members who are involved in the Water Rescue Program must have documented refresher training each Quarter. The requirements for each qualification is as follows.

Rescue Swimmers:

24 hours in the water swimming training per year. This number is based on an average of 6 hours per quarter. 12 Hours of this training must be completed using the Rescue Boards. 4 hours of the training must be night operations. A night drill may count as night operations.


Boat Operators:

48 hours training per year. This number is based on an average of twelve hours per quarter. 36 hours of this training must be completed underway. four hours of the underway training must be night operations. A night drill may count as night operations. The balance of the training hours may be accomplished by navigation or other related training.

Boat Crewmembers

24 hours training per year. This number is based on an average of six hours per quarter. twelve hours of this training must be completed underway. The balance of the training hours may be accomplished by navigation or other related training.

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Land-Based Water Rescue

8 hours training per year. This number is based on an average of two hours per quarter, two hours of this training shall be as a structured drill once a year. The balance of the training hours may be accomplished by in house use of equipment or other related training.

7. 3 Remedial Training Requirements:

For members who have not completed the required refresher training, the Water Rescue Committee and the Training Division will decide what training must be accomplished for the member to stay certified and a date for completion. If the member is unable to complete the training in the prescribed time period, the member's status will be changed in Telestaff until the member has completed the training. After a member has let his/her qualification lapse, a new certification letter must be sent by the Training Division to the member's Division Chief once they are re-qualified.

Appendix A. Boat Operator Qualification Sign-off

Appendix B. Boat Crewmember Qualification Sign-off

Appendix C. Rescue Swimmer Qualification Sign-off

**BOAT OPERATOR QUALIFICATION
SIGN-OFF LOG**

Name: _____

Instructor Date
Initials

- | | | |
|-------|-------|--|
| _____ | _____ | 1. Identify major boat components. |
| _____ | _____ | 2. Locate and demonstrate use of all equipment. |
| _____ | _____ | 3. Operate trim tabs and outboard drive (RHIB ONLY) |
| _____ | _____ | 4. Demonstrate proper pre-underway checks. |
| _____ | _____ | 5. Demonstrate use of all radios and correct channels for use. |
| _____ | _____ | 6. Demonstrate proficiency in using boat trailer (RHIB ONLY)
<i>may be waived for initial qualification</i> |
| _____ | _____ | 7. Review of Navigational Rules of The Road and chart terminology. |
| _____ | _____ | 8. Demonstrate knowledge of operating at night including how to "read"
Navigation Lights. |
| _____ | _____ | 9. Participate in Person in the Water Drill as a boat operator.(EITHER VSL) |
| _____ | _____ | 10. Demonstrate how to get underway from a pier and tie up to various berths. |
| _____ | _____ | 11. Participate in alongside and stern tow evolutions. (EITHER VSL) |
| _____ | _____ | 12 Operate fire pump and associated equipment. |
| _____ | _____ | 13 Complete Engine Casualty, Electrical Casualty,
Hitting Submerged Object and Grounding drills |
| _____ | _____ | 14 Demonstrate how to flush outboard motor and trailer. (RHIB ONLY) |
| _____ | _____ | 15 Demonstrate how to deploy the anchor with crew assistance. |
| _____ | _____ | 16 Demonstrate how to perform daily, weekly and monthly checks. |
| _____ | _____ | 17 Be able to provide crewmember instruction based on provided curriculum. |

FINAL QUALIFICATION CERTIFICATION BY TRAINING DIVISION

Training Division Representative _____ Date _____

Appendix A

**BOAT CREWMEMBER QUALIFICATION
SIGN-OFF LOG**

Name: _____

Instructor **Date**
Initials

- | | | |
|-------|-------|---|
| _____ | _____ | 1. Identify boat nomenclature. |
| _____ | _____ | 2. Locate and demonstrate use of personal protective equipment. |
| _____ | _____ | 3. Identify common nautical chart symbols and abbreviations. |
| _____ | _____ | 4. Identify navigational running lights. |
| _____ | _____ | 5. Identify distress signals. |
| _____ | _____ | 6. Locate, identify and demonstrate use of all equipment. |
| _____ | _____ | 7. Demonstrate how to tie a boat to a pier or other mooring |
| _____ | _____ | 8. Demonstrate how to operate Hydro-Hoist |
| _____ | _____ | 9. Participate in Person in the Water Drill as a pointer and recovery person. |
| _____ | _____ | 10. Demonstrate lookout responsibilities. |
| _____ | _____ | 11. Identify prominent landmarks used for navigation. |
| _____ | _____ | 12. Demonstrate use of marine band radios and correct channels for use. |
| _____ | _____ | 13. Assist in alongside and stern tow evolution. |
| _____ | _____ | 14. Demonstrate how to flush outboard motor and trailer. |
| _____ | _____ | 15. Operate all fire pump related equipment |
| _____ | _____ | 16. Deploy anchor under direction of a qualified Boat Operator |
| _____ | _____ | 17. Identify Crewmember responsibilities. |

FINAL QUALIFICATION CERTIFICATION BY TRAINING DIVISION

Training Division Representative _____ **Date** _____

**RESCUE SWIMMER QUALIFICATION
SIGN-OFF LOG**

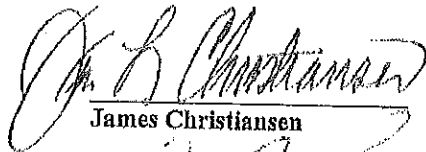
Name _____

Instructor Initials	Date		
_____	_____	1	Identify Signs of a person in distress in the water
_____	_____	2.	Demonstrate safe entry into water from elevation
_____	_____	3.	Demonstrate safe entry into water from shore
_____	_____	4.	Demonstrate rescues using buoy and tube
_____	_____	5	Demonstrate water entries using buoy and tube
_____	_____	6.	Demonstrate how to search for submerged victims (team operation and single rescuer)
_____	_____	7.	Demonstrate proper spinal immobilization techniques
_____	_____	8.	Identify proper hand/flag signals for land-based rescuers
_____	_____	9.	Identify boat nomenclature
_____	_____	10.	Demonstrate proper entry into the Rescue Boat
_____	_____	11.	Demonstrate proper deployment from the Rescue Boat
_____	_____	12.	Demonstrate how to remove a victim from the water via the Rescue Boat

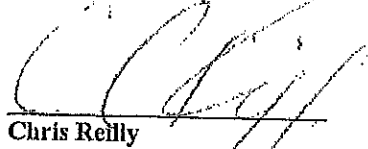
FINAL QUALIFICATION CERTIFICATION BY TRAINING DIVISION

Training Division Representative _____ Date _____

Fire Labor Management Team


James Christiansen

James Christiansen

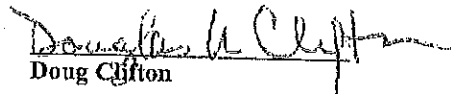

Chris Reilly

Chris Reilly

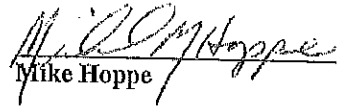

Mike Fisher

Mike Fisher

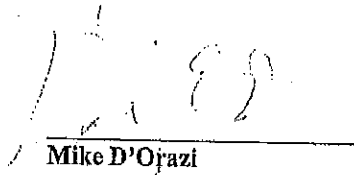
Corey Merrick


Doug Clifton

Doug Clifton

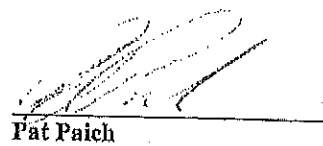

Mike Hoppe

Mike Hoppe


Mike D'Orazi

Mike D'Orazi

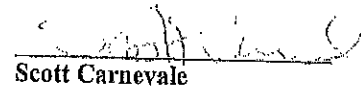
Dave Lee


Pat Paich

Pat Paich

Dominick Weaver

Mark Sample


Scott Carnevale

Scott Carnevale

Requires three signatures from each group.

Attachment 2

Alameda Fire Department

Information Bulletin 1672

Date: March 5, 2007

Remove After: 60 days

Text

To: All Members

From: Captain Dale Vogelsang

Subject: Water Operations Program Update

This informational Bulletin is to serve as an update on status, goals and future plans of the Water Operations Program. The Water Operations Program includes the disciplines of Surface Water Rescue, Boat Operations, Shipboard Firefighting and Marina Firefighting. The Committee includes myself, Pat Paich and Geoff Gay. As the Program Manager, I am looking for additional members to participate in the program and on the committee.

Program Status:

We have approximately 18 Rescue Swimmers with 2 instructors on each shift. We have at least two qualified Boat Operators on each shift with at least one member per shift assigned to Station Three. Both boats are now berthed at Alameda Marina. We have received a budget to maintain equipment and make repairs as needed. We continue to train annually on shipboard familiarization and drills on Coast Guard Cutters, MARAD vessels and vessels under repair at Bay Ship and Yacht.

Program Goals:

We would like to move from basic skills toward scenario based training. These scenarios could include shipboard fires, distressed persons in the water, fire on a vessel in a slip and mutual aid responses for mass casualty or evacuation. We want to develop scenarios based on the most likely incident first, and then evolve to more complex events.

Future Plans:

We would like to add members to our committee and train more Rescue Swimmers. We are looking for members who are interested in looking into new resources such as Personal Water Craft, designing marina firefighting procedures, designing drills and exercises to evaluate training and helping to develop the budget and participate in the strategic planning process. Our goal would be to have a committee consisting of 5 members who would be able to meet quarterly. In addition, we would like to add more Rescue Swimmers in light of future retirements and the need to maintain enough trained swimmers on each shift.

Please contact myself with any comments or ideas on how to improve the program.

Dale Vogelsang

Dale Vogelsang

Captain

Attachment 3

ALAMEDA FIRE DEPARTMENT

Information Bulletin: 1723

Date: January 22, 2008

Remove: After 120 Days

To: All Members

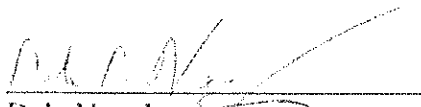
From: Dale Vogelsang
Division Chief

Subject: Update on the Water Operations Program

Due to my assignment as the EMS Chief, Captain Rick Waggener will be stepping in as the program manager for Water Operations. I will be assisting him in moving the program forward in several areas including: grant writing for a new vessel, policy review, designing a more effective maintenance program for both vessels, training with other agencies including Alameda Police and Coast Guard, acquiring Personal Watercraft to supplement Surface Water Rescue capabilities, designing a revised qualification and retention plan for Boat Operators and Rescue Swimmers, Marina Firefighting plans, live fire shipboard firefighting opportunities and other plans to make the program skill elements safer and easier to maintain.

There are many tasks to complete and we are looking for help. Currently, the Water Operations committee consists of Rick Waggener, Geoff Gay, Mike DeWindt and myself. We are looking for several more members to join the team to help us make this program more effective and able to respond to new types of emergencies.

If you are interested in joining our team please contact me by February 15th as we will schedule our first meeting in March. I look forward to 2008 as we move this program forward.



Dale Vogelsang
Division Chief

Attachment 4

City of Alameda Fire Department *Inter-Department memorandum*

Information Bulletin 1733

Date April 17, 2008

Revise/Delete 90 Days

To: All Members

From: Dale Vogelsang
Division Chief

Subject: Status of Rescue Boat (2798)

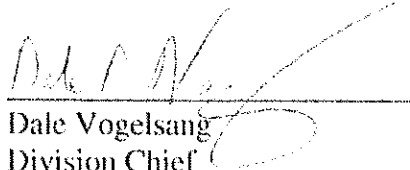
The Rescue Boat is in need of extensive repairs to the out drive and motor. These repairs are estimated to cost over \$45,000. In light of this issue, the Rescue Boat is not to be used except in the case of an actual response. According to our vendor, Svendsen's, if we operate the vessel carefully and only on responses, we should be able to limit further damage.

At this point, we plan to fund the repair towards the end of the fiscal year in June. If repairs are not funded at that time, we will re-evaluate our deployment options for water rescue calls and explain this service level reduction to the City Manager.

Until a decision is made, boat operators and officers must use risk management to decide on the best vessel for a response. Only use the RHIB if the Fireboat is completely unacceptable for the operation.

In addition, Oakland Fire department currently has one RHIB available for rapid deployment. In addition, they have several Inflatable Rescue Boats (IRBs) on trailers. Incident Commanders should consider requesting these resources early in an incident if you think they may be needed.

If you have questions or concerns regarding this change, please contact me or Captain Waggener, the Water Operations Program Manager.


Dale Vogelsang
Division Chief

Attachment 5

ALAMEDA FIRE DEPARTMENT

Information Bulletin: 1734

Date: May 1, 2008

Remove: Revised or Deleted

To: All Members

From: Dale Vogelsang
Division Chief

Subject: Update on Status of the Rescue Boat (RHIB)

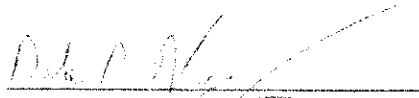
After having lengthy discussions with several members, we have decided to take the RHIB out of service immediately.

While our original plan was to leave the vessel in limited service while we secure funding, we have decided to use our other resources to help mitigate any water rescue incident.

I have contacted Oakland Fire to advise them of the situation and let them know we will be contacting them for Mutual Aid for any water rescue incident.

Incident Commanders should also initiate Mutual Aid calls to our other maritime partners at the beginning of any water rescue incident. Our other maritime resources include: U.S. Coast Guard, ALCO Sheriff, and Alameda Police.

If you have questions regarding this change in status, please contact myself or Captain Rich Waggener.



Dale Vogelsang
Division Chief

1815 Clement
Attachment 6

CITY OF ALAMEDA

Memorandum

To: Debra Kurita
City Manager

From: David Kapler
Fire Chief

Date: December 16, 2008

Re: Fire Department Water-Based Operations

BACKGROUND

The Alameda Fire Department (AFD) has had a fireboat in service for over 30 years. The AFD currently has two vessels; one is designed for firefighting, and one is designed for water rescue. The fireboat, which was placed in service in 1993, is a former Coast Guard 31' Port and Waterways boat built in 1970. The rescue boat is a 24' Rigid Hull Inflatable Boat (RHIB) built in 1994, formerly used by the Coast Guard. The rescue boat was placed in service in 2000. Both vessels were procured through the Defense Reutilization and Marketing Office for \$1.00 each.

Since Alameda has significant beach frontage and numerous lagoons and is surrounded by water, the AFD also implemented a Rescue Swimmer Program in 2002. Fire Department swimmers essentially fill the role of lifeguards for the City of Alameda.

DISCUSSION

After acquisition, the fireboat and rescue boat were outfitted with additional equipment including firefighting gear, emergency medical service gear, communications equipment, navigation equipment, and personal protective clothing. In addition, prior to placing the rescue boat in service, 12 personnel were trained as boat operators. Other operators have been trained using an in-house qualification program. AFD has spent approximately \$60,000 on additional equipment and training since the boats have been in service.

Since these vessels have never had a dedicated budget, repairs, maintenance, and ongoing expenses have been paid for from various Fire Department accounts, such as equipment replacement, apparatus, and fuel. Although the lack of a dedicated budget makes it difficult to identify the true costs of the boats, the ongoing annual costs include:

Fuel	\$3,800
Berth fees	\$3,500
Recent fireboat repairs	\$5,000

Both boats have deferred repairs and maintenance estimated at over \$60,000 each. Repair and service is completed by an outside vendor since no City personnel have the requisite training to work on marine equipment. The rescue boat is currently out of service due to problems with the drive unit, while the fireboat has lost engine power twice in the last two training sessions.

Without funding for maintenance and repairs, both vessels are unreliable and unsafe for continued emergency operation and should be taken out of service. In addition, the fireboat should be disposed of per the original agreement due to its age, obsolescence, and maintenance costs. The rescue boat may be stored temporarily to determine future maintenance or replacement funding feasibility. Removing both vessels from service will save the Fire Department from paying \$7000 marina fees annually.

As an option to address the need for water rescue capability and to augment rescue swimmers, Personal Water Craft, such as a Kawasaki Wave Runner, may be sought through a grant similar to that received by the Alameda Police Department. Staff is investigating the availability of a grant. To address water-based firefighting and rescue, the Fire Department will continue to work with the San Francisco and Oakland Fire Departments to utilize mutual aid. At this time, however, only the San Francisco fireboat is available for response. The Alameda Fire Department will provide additional training to its staff on shore-based marina firefighting. Finally, the Fire Department's FY 2009/10 budget will include \$15,000 for the Rescue Swimmer Program. No additional funding has been identified for this program.

RECOMMENDATION

Take the fireboat out of service on December 31, 2008 and pursue opportunities for grant funding for Personal Water Craft.

Respectfully submitted,

David Kapler,
Fire Chief



Attachment 7

Alameda Fire Fighters • Local 689

INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS

635 PACIFIC AVENUE • ALAMEDA, CA 94501 • TELEPHONE (510) 522-9109

6 JAN 2008

Madame Mayor and Members of the City Council,

It is my duty as an elected employee representative, to inform you of manipulation and information alteration that is occurring before your very eyes. The report on Fire Department Resource Allocation that was published on the City website and part of tonight's Council Agenda Item 5-B that was submitted by the Fire Chief Dave Kapler is in no uncertain terms, adulterated. The DISCUSSION section of the report, specifically Response Time Data and Response Time Impacts of Potential Brownouts read as though "boiler-plate" language from the ICMA book entitled "Managing the Fire Service" was applied and guesses were used as the basis for the discussion.

It is the belief of this association that the City Manager and staff are not allowing the Fire Chief to do his job. At the December 16, 2008 Council Meeting where Councilmember Matarresse had requested reports from both the Police and Fire Chiefs over a week ahead of time, those Chiefs and their staff were told not to be in attendance at the meeting so Council's questions could not be answered. The Mayor even commented that she was disappointed that the Chiefs weren't there.

As a result of that Council Meeting, we are here tonight, and there is a report in front of you talking about response times and the impacts of brownouts on response times. We have information from the Alameda County Regional Emergency Communications Center that information was requested by the Alameda Fire Department on or about 23 DEC 2008 about AFD response times to first alarm assignments. We also know that the amount of work required to be performed by dispatch employees was too much to be done "under the table", and that permission would have to be granted to work on this project from ALCOFD Chief Lord, and that Chief Lord was off until the 5th of January.

We also believe that ICMA has played a larger role in this report than you and the public are being led to believe. We know that they have been contacted specifically in response to the proposed Fire and Emergency Medical Services Minimum Protection ballot initiative submitted for impartial title and summary on 22 DEC 2008. In their analysis of the data provided to them, they have already identified inconsistencies and missing information. With references to a similar yet very different initiative in Pontiac Michigan, ICMA has been advised by City of Alameda "staff" that the ballot initiative makes their study, that much more important. Did I mention that the presentation by ICMA on these "public safety" studies that they conduct is titled "*How to get your Chiefs to say the Right Thing*"?

Submitted by Domenick Weaver at
the 01-06-09 Council Meeting
Re: Agenda Item 5-B



Alameda Fire Fighters • Local 689

INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS

635 PACIFIC AVENUE • ALAMEDA, CA 94501 • TELEPHONE (510) 522-9109

There is an agenda being pushed forth and either you as a Council know about it, or you don't. For over four years this Association has been trying to communicate to you the need for adequate staffing for both the health and safety of the community and firefighters, but also for the fiscal responsibility needed in the City, even before this dramatic global economic downturn. Our words were dismissed and now you are faced with reducing a service level that puts your community in harms way. We have warned that the short staffing was not only causing injury to firefighters, but fiscally irresponsible. Our warnings fell on deaf ears. So 6 positions were frozen, eliminated from budget, and now when facing further financial challenges, there is nothing left to cut.

With the budget cuts and cost saving measures needed, the Fire Chief and City Management came up with un-funding two sworn office positions and a civilian analyst position. Programs like Water Rescue, Hazardous Materials, and Technical Rescue are unfunded except for grant money. Then, needing more, and consistent with an agenda of gutting public safety, went straight to street level service cuts "recommending" the "brownout" of a Fire Company as needed.

Every Chief in the AFD for the last 11 years has said that 27 firefighters on duty daily is the minimum required to appropriately cover the City of Alameda. That represents 1 firefighter for every 2936 citizens. Why now, with demand for service at record levels, would it be OK to drop to 24? The impacts will be more than minimal. Chief Kapler estimates that 240-500 calls may be impacted by "brownouts". There is no way to predict when, where, and what kind of call it will be that will suffer because of "brownouts". This is playing Russian Roulette with the health and safety of the citizens, visitors and firefighters in Alameda.

You all owe it to the Citizens and Business owners in Alameda to decide on the "proposed brownouts". You cannot let this decision of service level be silently contained in budget bureaucracy. It is your job to make sure transparency and accountability is here in City Government. You hired a Fire Chief and he is not being allowed to be effective by the City Manager. He is being edited, censored, and is virtually under the thumb of the City Manager and her agenda. There is a lot of finger pointing going on between Staff and Council. I will not reveal my sources for information, and you must do your own investigations. If you choose at this junction, not to act, you place yourselves in jeopardy of not serving this community consistent with the oaths you took upon gaining office.

Domenick Weaver, President

Alameda Firefighters IAFF Local 689

P. H. 113. - 5-1-08

Attachment 8

FTB 11-14-08

February 4, 2009

David Kapler, Fire Chief
Alameda Fire Department
1300 Park Street
Alameda, CA 94501

AIRPORT

BIZINES

WATER SUPPLY

SFD

WATERWAY MARINA

3,000 PRIVATE SLIPS.

Re: Grievance for Placing the Fire Boat Program Out-of-Service

531

In compliance with M.O.U. Section 26.1 (City of Alameda and I.A.F.F. Local 689, October 2001 - January 2008), this letter serves as official notice of a grievance caused by the City of Alameda for placing the fire boat and water rescue boat out of service.

While water rescue calls are not a frequent response, they do occur several times a year. Per the U.S. Census Bureau, the City of Alameda is 23 square miles. While 10.8 square miles of Alameda are land, there are 12.2 square miles of water which are made up of the Oakland Estuary, San Francisco Bay and San Leandro Bay. It is estimated there are over 2,000 private boat slips docked in Alameda.

Due to the inherent risk that comes with providing service for an island community, the City and Local 689 met and agreed to implement and maintain the Fire Boat Program in 1998. This agreement was captured in M.O.U. Section 1.3 (1998 and again in 2001) which states, "The parties have met and conferred to implement the Fire Boat / Water Rescue Program." It was the intent and understanding of both the City of Alameda and I.A.F.F. Local 689 that the program was to be a required and continued delivery of service.

In 2008, there were comments made in various official communications from Chief Officers to the fire department members. These comments were contained in an Alameda Fire Department Information Bulletin, a committee meeting and again at the monthly Shift Captain's meetings which clearly indicated the City had decided the program would be placed out-of-service.

Per Information Bulletin 1734, dated May 1, 2008, Division Chief Dale Vogelsang states, "After having lengthy discussions with several members, we have decided to take the RHIB out of service immediately."

Contained within the notes from the Water Operations Program discussion dated November 14, 2008, it states, "Chief Reilly stated that the Fireboat 27F3 was now out of service." Captain Waggener was also told during this meeting that the City Manager, after a lengthy discussion with the City Council, had decided to take the Fireboat of service due to the fiscal crisis in Alameda

[Signature]

and that both boats were going to be put in dry dock. The slip would then be released to the Marina to save money."

Several Shift Fire Captains recall hearing you say the Fire Boat and Water Rescue Boat would be removed from the next fiscal year budget and that they were currently out-of-service. This comment occurred at the Shift Captain's meetings late in 2008 on all three shifts.

Due to this service level reduction, the Alameda Fire Department is now unable to respond on the water to emergencies. These decisions and statements represent a unilateral change in service level deployment and our working conditions. They are violations of M.O.U. Sections 1.3, 7 and Appendix "I".

Please contact me as soon as possible to meet and discuss this grievance. If this grievance cannot be resolved within the Department by March 5, 2009, we will request that it be referred to the City Manager for the next step in the process.

Thank you for your attention to this matter.

Matt Nielsen
Trustee

C: Domenick Weaver, President, I.A.F.F. Local 689
James Colburn, Secretary, I.A.F.F. Local 689
Jeffrey DelBono, Chief Negotiator, I.A.F.F. Local 689
Alan Davis, Esq.



City of Alameda, California
Attachment 9



March 5, 2009

Matt Nielsen
Trustee
Alameda Firefighters IAFF Local 689, AFL-CIO
635 Pacific Avenue
Alameda, California 94501

Re: Grievance for Placing the Fire Boat Program Out-of-Service

Dear Mr. Nielsen,

Your grievance dated February 4, 2009 entitled "Grievance for Placing the Fire Boat Program Out-of-Service" was received in my office on February 4, 2009. For the reasons below, the grievance is denied.

This grievance is untimely. On May 1, 2008, the City provided notice to the Union of its intention to put the Rigid Hull Inflatable Boat (RHIB), unit 2798, out of service, but the Union failed to file a grievance for this action for over eight months. On November 14, 2008, the City provided notice to the Union of its intention to put Fireboat 27F3 out of service, but the Union failed to file a grievance for this action for over two months.

In addition, the Union has failed to allege any conduct that creates a "dispute which involves the interpretation or application of" M.O.U. Sections 1.3 and 7 or Appendix I. See M.O.U. Section 26. Therefore, the issues raised are not subject to the Grievance Procedure.

Finally, M.O.U. Section 8 provides the City clear authority to "set standards of service...[and] determine the methods, means and personnel by which government operations are to be conducted. . . ." Therefore, the City has no bargaining obligation over the decisions to take the RHIB and Fireboat out of service, and the City does not believe that M.O.U. Section 7 and Appendix I are applicable to this situation. However, to the extent M.O.U. Section 7 and Appendix I are applicable, the City has complied with these provisions.

Based on the reasons provided above, this grievance is denied.

Sincerely,

David Kapler
Fire Chief

cc: Karen Willis, Human Resources Director

Alameda Fire Department
1300 Park Street
Alameda, California 94501-4508
510.337.2100 ♦ Fax 510.521.7851

Attachment 10

From: Ann Marie Gallant
To: Brandt, DAVID; Kapler, David
CC: LIMA, Anne
Date: 3/9/2009 12:33 PM
Subject: Re: Rescue Swimmers

As long as there is \$\$\$ in this year's budget to pay for it WITHOUT going over, then I don't have a problem with it.

>>> David Kapler 3/9/2009 10:54 AM >>>

During the past year our rescue swimmer program has fallen out of compliance due to lack of training for recertification. When the rescue boat and fire boat were put out of service during 2008 for lack of maintenance, we committed to keeping the swimmer program alive. We appear to be sitting pretty well with overtime and salaries for the remainder of this fiscal year. It will take up to \$10,000 OT to get rescue swimmers back up to operational status. Unless you have other direction I intend to authorize this expenditure so that the rescue swimmer program will be functional again by mid May and the beach season.

Thanks.

Dave

Attachment 11

ALAMEDA FIRE DEPARTMENT

Information Bulletin: 1762

Date: March 16, 2009

Remove: After revised or deleted

To: All Members

From: Dale Vogelsang
Division Chief

Subject: Operations Status Change – Surface Water Rescue Swimmers

As of this date the Water Rescue Swimmer program is on hold and all previously qualified Rescue Swimmers shall not enter the water for an active incident until further notice.

There has not been any formalized Rescue Swimmer training for over 12 months due to funding. In light of this and the requirement for Rescue Swimmers to receive 24 hours of training each year per G.O.B. 1-46, all previously qualified Rescue Swimmers must go through a re-certification process consisting of normal skills training.

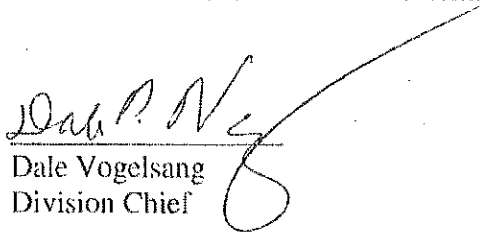
If a water incident occurs, incident commanders are reminded to contact dispatch for appropriate resources such as Coast Guard, Alameda County Fire or Oakland Fire.

Land-based rescue practices are still applicable with the exception of the Rescue Swimmer element. Refresher land-based training is currently being scheduled. However, under no circumstance shall any member enter the water to initiate a rescue or search.

We have been approved funding to re-certify instructors and train new swimmers. However, until this training is completed, per OSHA requirements, no members may be used as Rescue Swimmers.

I am currently scheduling time to complete instructor training and land-based rescue training. When this training is complete, the Rescue Swimmers will be re-certified as appropriate. We anticipate training to commence within the next 30 to 45 days.

Captain Waggener is the Water Operations program manager and Firefighter Gay is the lead for the Rescue Swimmer element.


Dale Vogelsang
Division Chief

Attachment 12



May 28, 2009

Matt Nielsen
Trustee
Alameda Firefighters IAFF Local 689
635 Pacific Avenue
Alameda, CA 94501

Dear Mr. Nielsen:

In response to the appeal proceedings held on May 20, 2009, before Hearing Officer Lisa Goldman, and upon careful reviewing of the submitted documentation including, the May 28, 2009, written findings and recommendations (copy enclosed), I am hereby denying the grievance. The basis for my decision is set forth in the enclosed written memorandum.

Sincerely,

A handwritten signature in cursive script, appearing to read "mgallant", is written over the typed name and title.

Ann Marie Gallant
Interim City Manager

AMG:cb

Enclosure

cc: Deputy City Manager
City Attorney
HR Director
Fire Chief

Attachment 13

Los Angeles Fire Department

RECHECK AND RE-CERTIFICATION

STANDARD OPERATING PROCEDURE T002

Issued: August 20, 2004

August 5, 2007

PURPOSE To ensure that each lifeguard is prepared to perform their duties through a program of recheck swims and in-service training.

TERMS *Open Water Recheck* – 500 meter swim in less than 10 minutes.

Re-certification – Skill tests and written examinations that test medical and lifesaving abilities and knowledge.

SCOPE All open water lifesaving personnel.

PROCEDURE

Full time employees: A recheck swim is held in late January or early February. Notification of exact date will be made at a regularly scheduled staff meeting.

Part time employees: Notification by mail (*Open Water Recheck Notification* letter) of recheck and re-certification dates by January 31. Recheck and re-certification dates are normally in May and June [two days for OWL II (*OWL II Recheck letter*); three days for OWL I (*OWL I Recheck letter*)].

Part time lifesaving employees will inform their supervisor of their date of choice for the recheck and re-certification. Supervisors may move employees to other dates as necessary to facilitate operational coverage.

Full time employees who fail their recheck swim may be subject to suspension or may be placed on light duty until they pass.

Part time employees who fail their recheck swim may continue to try until the last scheduled date and may not work until they pass. Failure to pass on the final date may result in suspension or discharge.

Failure to pass any skill or written examination may result in suspension until successful completion.

RESPONSIBILITY

Los Angeles Fire Department

It is the responsibility of all lifesaving employees to attend and pass their scheduled rechecks and re-certification.

LIFEGUARD RECERTIFICATION

TRAINING ORDER 002

Issued: June 6, 1997

Revised: January 15, 2010

PURPOSE To ensure that each lifeguard is physically and mentally prepared to perform their duties through a program of recertification and in-service training.

TERMS *Pass Swim* - The employee successfully completed the designated course and distance in the allotted time.

Pool Swim - 550 yards (22 lengths of a 25 yard pool) in less than 10:00 minutes.

Ocean Swim - Around the ocean swim course in less than 13:00 minutes. Pre-1960 employees must swim under 15:30 minutes.

SCOPE This Order shall affect all represented classes of the Lifeguard Division.

PROCEDURE

Recurrent

All recurrent lifeguards are required to annually attend a recertification day that shall consist of:

- 1) A timed swim Ocean Swim course in less than 13 minutes.
- 2) CPR instruction taught by lifeguards, and a written CPR examination.
- 3) First responder first aid training.
- 4) At the discretion of Lifeguard Management: Aquatic skills workshops, focusing on particular lifesaving skills and employee safety issues such as pier rescues, rescue equipment usage, and Rescue Boat operations.

Recurrent lifeguard personnel must successfully complete the summer recertification program prior to July 1 of each year to stay on the availability list.

If a recurrent employee has not completed his/her recertification program by July 1, they will be taken off the availability list and will not be reinstated until successful completion of a later recertification program. If an employee does not successfully complete a recertification program in any calendar year, that employee may be released from service.

Los Angeles County Fire Department

Employees returning from approved leaves of absences will be required to have their training records reviewed by the Training Captain prior to returning to active status. Additional training to meet minimum training requirements will be addressed.

If a recurrent employee exceeds the time standard in the swim, they must return within seven days and take the swim again. An unsuccessful swim at this time will result in the employees being removed from the availability list until they successfully pass the swim.

Recurrents have sixty (60) days to successfully pass the swim after their initial failed attempt. After the sixty days has elapsed, only the Chief Lifeguard can grant an extension.

Permanent

All permanent personnel must attend a training day and pass a timed Pool Swim each winter. The winter pool swim period will be November 1 through April 30.

All permanent employees are also required to attend a spring/summer training day and pass a timed Ocean Swim. The spring/summer period will be May 1 through October 31. For the purposes of the spring/summer timed Ocean Swim, the only authorized items which may be worn are goggles, a swim suit and a swim cap. Exceptions to this order must be approved by the Chief Lifeguard.

Permanent employees that exceed the time standard for the swim must reswim the event within 7 days. Employees that exceed the time standard in the second swim will be immediately placed in a Modified Duty Assignment (MDA). The workweek schedule for an MDA shall be Monday-Friday, 0800 to 1700 hours, in an administrative assignment. Failure to pass the secondary swim shall also result in a mandatory County physical medical exam.

During any one year period (any consecutive 365 days), employees are eligible for no more than 60 cumulative days in a Modified Duty Assignment.

Permanent employees that are unable to successfully pass the recertification swim within the 60 day MDA period, will be subject to administrative action.

Note: All make-up swims will be timed by the Training Staff

Sick

Los Angeles County Fire Department

If a Lifeguard is physically ill on the day they are scheduled to recertify, they may take the day off sick. However, they must complete the swim within seven days upon their return to full duty.

If a permanent does not meet this requirement within the seven days, they are subject to administrative action.

If a recurrent does not meet this requirement within seven days, they will be removed from the availability list until they successfully pass the recertification swim.

Authorized Signature

Date

Attachment 14

Standards and Training

Alameda Fire Department

General Orders Bulletin 1-46 - "Water Rescue Operations"

Swim Test - 500 yards in 10 minutes

Continuing Education - 24 hour annually

Alameda Police Department

Policy 433 - "Harbor Patrol"

American Red Cross

Waterfront Lifeguard

CPR-AED for Lifeguards

Administration of Oxygen

Bloodborne Pathogens Training: PDT

United States Lifeguard Training Standards

Open Water Lifesaving

International Lifesaving Federation

Swim Test recommendation - 400 meters in 8 Minutes

Los Angeles County Fire Department

Swim Test Standard for recertification - 550 yards in 10 minutes

Los Angeles Fire Department (City)

Swim Test Standard for recertification - 500 meters in 10 minutes

U.S. Coast Guard Training

Rescue Boat Operator

Fire Boat Operator

Crew Member

California State Fire Marshal Training Standards (SFM)

Rescue Boat Operations

Personal Watercraft Rescue Operations

River and Floodwater Rescue

California Peace Officer Standards and Training (POST)

Boating: Rescue Boat Operations

Boating: Safety and Enforcement

Boating: Skills and Operations

Boating: Accident Investigation/Reconstruction

Boating: Personal Watercraft for Law Enforcement

Boating: Piloting & Navigation for Law Enforcement

Boating: Intoxication Enforcement

National Fire Protection Association (NFPA)

Standard 1006 - Technical Rescuer Professional Qualifications

Standard 1670 - Operations and Training for Technical Search and Rescue Incidents